

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Barbara Broughel,

Plaintiff,

ORDER

07cv7755(GBD)

-against-

The Battery Conservancy, et al,

Defendant.

GEORGE B. DANIELS, District Judge:

Plaintiff moves for reconsideration of this Court's Decision and Order, dated March 16, 2010, denying her motion to file a proposed second amended complaint.

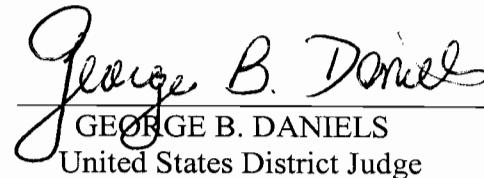
Defendant is not entitled to reconsideration because she failed to make the requisite showing that this Court overlooked any factual matters or controlling decisions that were before it when it denied the application. See, Eisemann v. Greene, 204 F.3d 393, 395 n.2 (2d Cir. 2000) (*quoting Shamis v. Ambassador Factors Corp.*, 187 F.R.D. 148, 151 (S.D.N.Y. 1999)); see also, Shrader v. CSX Transp., Inc., 70 F.3d 255, 257 (2d Cir. 1995); S.D.N.Y. Local Rule 6.3.

Defendant has previously been granted leave to amend her complaint and twice proposed further futile amendments. Defendant is merely seeking to re-litigate an issue already decided by this Court.

Plaintiff's motion for reconsideration is denied.

Dated: New York, New York
September 14, 2010

SO ORDERED:



George B. Daniels
GEORGE B. DANIELS
United States District Judge